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CAMPAIGN FINANCE DIVISION

☒ **WAIVER REQUEST**
☐ **RECONSIDERATION REQUEST**

DATE: 5/25/2021
DOCKET #:

FILER INFORMATION

Name: Gary K. Hays, Jr.
Office: City Judge, City Court, City of Pineville
Parish: RAPIDES
Election Date: 11/3/2020
Level of Office: District

REPORT INFORMATION

Name of Report: 30-P
Original Due Date: 10/5/2020
Date Filed: 10/15/2020
Activity Receipts: \$0
Expenditures: \$0
Funds at Close of Reporting Period: \$0

LATE FEE INFORMATION

Amount of Late Fee: \$600
Days Late: 10
Late Fee Order Received: 12/8/2020
Payment/Waiver Request Due Date: 12/28/2020
Waiver Request Received: 12/10/2020
Additional Information Requested:

- Medical
- Financial
- Other

COMMENTS: Candidate submitted waiver request by mail and fax. He states that he was unopposed in the 11/3/20 Primary election and was only required to file the 30-P electronically. He states that he met all of the criteria to file the Affidavit in lieu of report. He states that around 9/24/20 he filled out the affidavit and was in the process of submitting it when he noticed that he needed to be notarized, he then printed it out had it notarized and mailed it in. He said on 10/15/20 he received the delinquency notice and then submitted it electronically. He requests for the fee to be waived, suspended or reduced based on the information provided.

OTHER LATE FEE INFORMATION

Campaign Finance:

Other Outstanding Reports: No
Other Outstanding Late Fees: No
Prior Late Fees: YES
Reassessed Late Fees: No

Disclosure Statements:

Other Outstanding Late Fees: No
Prior Late Fees: No

Gary K. Hays
1103 Main Street
Pineville, LA 71360
Telephone: (318) 443-9244 Fax: (318) 443-9744

December 10, 2020

Louisiana Board of Ethics
P.O. Box 4368
Baton Rouge, LA 70821

RE: Waiver Request
Gary K. Hays, Jr.
30-P Report filed 10 days late

Dear Board of Ethics:

Please accept this letter as my waiver request of the late fee assessment. It is my opinion that I have good cause as to why my report was not deemed timely filed. I was unopposed in the November 3, 2020 Primary Election and was only required to file the 30-P CFDR electronically. I also met all of the criteria to file the Candidate's Affidavit In Lieu of Report. On or about September 24, 2020, I filled out the Candidate's Affidavit and was in the process of submitting electronically when I noticed on the Affidavit Report in black, bold letters the following: **"THIS AFFIDAVIT MUST BE SWORN BEFORE A NOTARY Mail to: Campaign Finance, Post Office Box 4368, Baton Rouge, Louisiana 70821."** I then printed out the Candidate's Affidavit Report and had it sworn before a notary and mailed as instructed by the Candidates Affidavit Report (copy of report provided.)

Then, On October 15, 2020, I received a letter dated October 8, 2020 informing me of my **delinquency status** (copy provided.) At that point in time, I submitted my Candidate's Affidavit Report electronically without it being sworn

before a Notary as indicated on Affidavit Report. I know that I am required to file all reports electronically, as I have done so in the past November 2014 Election; but due to my legal training and now judicial experience, all affidavits must be sworn before a Notary to be considered legally valid. Additionally, the Affidavit on its face, instructs the affiant to have Affidavit notarized and mailed to proper address. I really became perplexed when I received another letter dated October 29, 2020 requesting that I submit a signed and notarized copy of the Affidavit to The Louisiana Board of Ethics Office (copy provided.)

I humbly request that The Board of Ethics suspend or reduce my late fee assessment based upon the above listed factual situation illustrating good cause why my report was not timely filed. In the alternative, if good cause is not shown, please correct or revise the Candidate's Affidavit In Lieu Of Report so that other future filers are not confused.

Sincerely,



Gary K. Hays

CANDIDATE'S AFFIDAVIT IN LIEU OF REPORT

(to be filed by a candidate or his principal campaign committee)

Use ONLY if ALL of the following criteria are met: (1) candidate is running for a "major" or "district" office; (2) contributions/loans from one source, including those from the candidate, in excess of \$200 have not been received for this election; (3) expenditures in excess of \$5,000 have not been made for this election; and (4) an itemized (long) report has not been filed in connection with this election.

THIS AFFIDAVIT MUST BE SWORN BEFORE A NOTARY

Mail to: **CAMPAIGN FINANCE, Post Office Box 4368, Baton Rouge, LA 70821**

Full Name and Address of Candidate

Dary K. Hays
1103 Main Street
Pineville, LA 71360

2. Office Sought (Include title of office as well as parish, city, town and/or election district.)

Pineville City Court Judge
Rapides/Pineville
Wards 9, 10, and 11

OFFICE USE ONLY

1. Date of Primary 11/3/2020

This report covers from 1/1/2020 through 9/29/2020

Type of Report:

☐ 150th day prior to primary
☐ 90th day prior to primary
☒ 30th day prior to primary
☐ 10th day prior to primary
☐ 10th day prior to general
☐ 40th day after general
☐ Annual (future election)
☐ Supplemental (past election)

FINAL REPORT IF: ☐ Withdrawn ☒ Unopposed

a. Name of Person Preparing Report
Michelle M Hays

b. Daytime Telephone (318) 664-9248

I DO HEREBY CERTIFY, after being duly sworn, that, with respect to the election described above, I (the Committee) have (has) not received contributions from one source in excess of \$200 and have (has) not made expenditures totaling in excess of \$5,000 in the aggregate from the time of becoming a candidate (initial participation in this election) through the close of the current reporting period.

Dary K. Hays

Signature of Candidate/Chairperson
to be signed by Chairperson and report by
principal campaign committee

(318) 443-9244
Daytime Telephone

6. FOR PRINCIPAL CAMPAIGN COMMITTEES ONLY
a. Name and address of principal campaign committee, committee's chairperson and subsidiary committees, if any (use additional sheets if necessary).

Sworn to and subscribed before me this 15th day of October 2020

Pineville
(City)

LA
(State)

Baron Carpin

NOTARY PUBLIC

19,516



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS

P. O. BOX 4388
BATON ROUGE, LA 70821
(225) 218-5600
FAX: (225) 381-7271
1-800-542-8830
www.ethics.la.gov

October 8, 2020

Gary K. Hays, Jr.
1103 Main St.
Pineville, LA 71360

CERTIFIED MAIL

NO. 70170530000017482986

RETURN RECEIPT REQUESTED

NOTICE OF DELINQUENCY

Dear Mr. Hays:

The 30-P (30 days prior to primary) campaign finance disclosure report for the November 3, 2020 election, which was due October 5, 2020, has not yet been received. You are subject to automatic late filing fees for every day that report is late.

**A LATE FILING FEE OF \$60 PER DAY IS NOW BEING
ASSESSED FOR EVERY DAY YOUR REPORT IS LATE.**

All candidates for Major or District level offices are required to electronically file their financial disclosure reports. Electronic filing for all other candidates is voluntary.

If the report is not filed by October 22, 2020, additional penalties of up to \$10,000 may be imposed by the Board of Ethics after an administrative hearing is conducted.

Once the report is received, you will be sent a notice for the total late fees assessed.



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-5600
FAX: (225) 381-7271
1-800-842-8630
www.ethics.la.gov

October 29, 2020

Judge Gary K. Hays, Jr.
1103 Main St.
Pineville, LA 71360

Re: 30 days prior to primary Campaign Finance Report - November 3, 2020 election

Dear Judge Hays:

The campaign finance report you filed October 15, 2020 as noted above was examined for errors on its face. A complete audit was not conducted and this letter should not be construed as preventing further examination of your report.

The following errors/omissions were noted. Please review your records and amend the report accordingly.

**WE HAVE RECEIVED YOUR E-FILED AFFIDAVIT IN LIEU OF REPORT. PLEASE
SUBMIT A SIGNED AND NOTARIZED COPY TO OUR OFFICE.**

Since your report was filed electronically, you must amend Filing ID LA-90945 electronically.

Please submit this amendment by **November 12, 2020** to avoid any further action with respect to the inaccuracy(ies). If you need assistance, you may contact me at the above address or via e-mail at jennifer.yoho@la.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Yoho".

Jennifer Yoho
Compliance Investigator



Unknown @Port 9100

12/11/2020 11:48 AM

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